

FILED

UNITED STATES COURT OF APPEALS

DEC 02 2011

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

WALTER EDWARD BAGDASARIAN,

Defendant - Appellant.

No. 09-50529

D.C. No. 3:09-CR-00083-H-1
Southern District of California,
San Diego

ORDER

Before: KOZINSKI, Chief Judge, REINHARDT and WARDLAW, Circuit Judges.

The majority of the panel has voted to deny the petition for rehearing en banc. Judge Wardlaw would grant the petition.

The full court has been advised of the petition for rehearing en banc, and no judge has requested a vote on whether to rehear the matter en banc. Fed. R. App. P.

35. The petition for rehearing en banc is denied.

The Defendant-Appellant's motion to allow opposition to the Government's petition for rehearing en banc is denied as moot.